

1 Michael Kind, Esq.
2 Nevada Bar No.: 13903
3 **KIND LAW**
4 8860 South Maryland Parkway, Suite 106
5 Las Vegas, Nevada 89123
6 (702) 337-2322
7 (702) 329-5881 (fax)
8 mk@kindlaw.com
Attorney for Plaintiff Jose A. Iraheta Hernandez

9
10 **UNITED STATES DISTRICT COURT**
11 **DISTRICT OF NEVADA**

12 Jose A. Iraheta Hernandez,

13 Case No.: 2:20-cv-01766-GMN-BNW

14 Plaintiff,

15 v.
16

**Stipulation for Plaintiff to file a
Second Amended Complaint**

17 General Information Services,

18 Defendant.

19 Pursuant to Rule 15(a)(2) of the Federal Rules of Civil Procedure, Jose
20 A. Iraheta Hernandez (“Plaintiff”) and General Information Services
21 (“Defendant” and jointly as the “parties”), by and through their respective
22 counsel, hereby submit this stipulation for Plaintiff to amend the complaint on
23 or before **December 18, 2020**, a copy of which is attached hereto as Exhibit
24 A.

25 Plaintiff filed the original complaint on Sep 24, 2020 in this court. (ECF
26 No. 1). Defendant filed its Motion to Dismiss the Complaint, or Alternatively,
27 Transfer Venue, (ECF No. 5), on Oct 20, 2020. On November 2, 2020,
Plaintiff filed an amended complaint (ECF No. 12), and Defendant filed a

1 Motion to Dismiss the Amended Complaint, or Alternatively, Transfer Venue
2 on November 16, 2020 (ECF No. 13). On November 17, 2020, Defendant
3 filed a Motion to Stay Discovery (ECF No. 14), which is still pending with the
4 Court.

5 The reason for Plaintiff's anticipated amendment is because Defendant
6 asserts that Plaintiff has sued the wrong entity and Plaintiff therefore seeks to
7 amend to drop Defendant from the case and name Backgroundchecks.com,
8 LLC (a separate but associated entity) as a defendant. However, Plaintiff and
9 Backgroundchecks.com, LLC, through counsel, are engaged in early
10 discussions regarding the merits of Plaintiff's claims that may alleviate the
11 need to amend the complaint.

12 ///

13 ///

14 ///

15

16

17

18

19

20

21

22

23

24

25

26

27

In consideration of the foregoing, and for good cause, IT IS HEREBY STIPULATED that Plaintiff shall file and serve the Amended Complaint on or before **December 18, 2020**.

Dated: December 9, 2020.

KIND LAW

/s/ Michael Kind

Michael Kind, Esq.
8860 South Maryland Parkway, Suite 106
Las Vegas, Nevada 89123
Attorney for Plaintiff Jose A. Iraheta Hernandez

LITTLER

/s/ Diana Dickinson

Diana Dickinson, Esq.

William J. Simmons, Esq.

3960 Howard Hughes Parkway, Suite 300

Las Vegas, Nevada 89169

Counsel for General Information Services, Inc.

ORDER

IT IS ORDERED that the parties' stipulation is GRANTED. The Clerk of Court is kindly directed to detach and separately docket ECF No. 18-1.

IT IS SO ORDERED

DATED: 4:52 pm, December 11, 2020

Berlowitz

**BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE**